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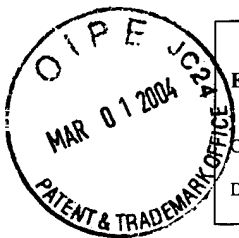
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Date: March 1, 2004

Signed

*Linda Phillips*  
Linda Phillips

PATENT

Customer No. 22,852

Attorney Docket No. 08834.0038

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application of	)	
U.S. Patent No. 6,292,515 to	)	Group Art Unit: Unassigned
Chiihsin KAO et al.	)	
	)	Examiner: Unassigned
Reissue Serial No.: 10/668,095	)	
	)	
Filed: September 18, 2003	)	
	)	
For: DUAL MODE BIT AND GAIN	)	
LOADING CIRCUIT AND	)	
PROCESS	)	

**Mail Stop Reissue**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

**PETITION UNDER**  
**UNDER 37 C.F.R. § 1.47(b)**

Pursuant to 37 C.F.R. § 1.47(b), the corporate Applicant and assignee of the present application, Realtek Semiconductor Corporation ("Realtek"), hereby petitions the Commissioner to accept the accompanying Declaration signed by the corporate Applicant and to allow the corporate Applicant to make the reissue application on behalf of the non-signing inventors, Chiihsin Kao, Chunta Chen, and Ming-Kang Liu, who are former employees of the former assignee (Integrated Telecom Express, Inc.) of U.S. Patent No. 6,292,515 ("the '515 patent").

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02 FC:1460 130.00 DA

Although corporate Applicant has mailed to the last known address of each of Mr. Kao, Mr. Chen, and Mr. Liu two separate copies of the Declaration for the inventors, the above-identified reissue application, which includes a complete copy of the '515 patent, and a preliminary amendment containing new claims 20-100, the inventors have not responded to corporate Applicant's requests.

**REQUIRED OATH, APPLICANT'S RELATIONSHIP TO INVENTORS, LAST KNOWN ADDRESSES OF INVENTORS, AND INVENTORS' ASSIGNMENT OF INVENTION**

Pursuant to M.P.E.P. §409.03(b)(A), (B), (D), and (E), the accompanying Declaration by Sun-Chien Chiu, President of Applicant corporation Realtek has made the required oath, stated its relationship with the inventors, stated the last known addresses of the inventors, and made out a *prima facie* case that the inventors have agreed in writing to assign the invention to the corporate Applicant (through the inventors' assignment and two additional assignments).

**THE INVENTORS CANNOT BE FOUND OR REACHED AFTER A DILIGENT EFFORT OR HAVE REFUSED TO EXECUTE THE APPLICATION PAPERS**

Pursuant to M.P.E.P. § 409.03(b)(C), corporate Applicant submits Declarations by Sang Hui Michael Kim and Ming-Tao Yang in Support of this Petition that describes facts and provides documentary evidence to establish that the inventors cannot be found after diligent efforts and also to suggest that the inventors have refused to execute the application papers and join the reissue application.

**FILING OF THIS APPLICATION IS NECESSARY TO PRESERVE THE RIGHTS OF THE PARTIES OR TO PREVENT IRREPARABLE DAMAGE**

The subject matter of the present invention and application is an integral part of corporate Applicant's business in the U.S. and potentially may be used in corporate

Applicant's and affiliates' products. If third parties or the non-signing inventors use or disclose the subject matter of the present application, corporate Applicant's ability to obtain exclusive U.S. rights to the subject invention will be lost. Further, the present application is necessary to preserve corporate Applicant's potential exclusive U.S. patent rights from being infringed in the future by third parties. The loss of any of the above potential exclusive U.S. patent rights to corporate Applicant will irreparably damage corporate Applicant in that corporate Applicant's competitors will be able to copy and use the subject matter of the present application.

### **CONCLUSION**

The undersigned submits that all the requirements of 37 C.F.R. § 1.47(b) and M.P.E.P. § 409.03 have been met. Accordingly, the undersigned requests that the Commissioner approve this Petition and the accompanying Declaration executed by corporate Applicant and allow prosecution on the merits to begin on the above-identified reissue application.

Please charge the required petition fee set forth under 37 C.F.R. § 1.17(h) to our Deposit Account No. 06-0916. If there are any other fees required for filing this paper, including any fees for extensions of time, please charge these fees to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Date: March 1, 2004

By:   
Sang Hui Michael Kim  
Reg. No. 40,450



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Date: March 1, 2004

Signed:

*Linda Phillips*  
Linda Phillips

PATENT

Customer No. 22,852

Attorney Docket No. 08834.0038

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application of	)	
U.S. Patent No. 6,292,515 to	)	Group Art Unit: Unassigned
	)	
Chiihsin KAO et al.	)	Examiner: Unassigned
	)	
Reissue Serial No.: 10/668,095	)	
	)	
Filed: September 18, 2003	)	
	)	
For: DUAL MODE BIT AND GAIN	)	
LOADING CIRCUIT AND	)	
PROCESS	)	

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Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**DECLARATION OF MING-TAO YANG IN SUPPORT  
OF PETITION UNDER 37 C.F.R. § 1.47(b)**

I, Ming-Tao Yang, hereby declare as follows:

1. I am an attorney admitted to practice in Washington, D.C., and California, of the law firm of Finnegan, Henderson, Farabow, Garrett, and Dunner, LLP, 1300 I Street, NW, Washington, DC 20005. I believe that I have the first-hand knowledge of the facts recited in this Declaration.

2. I read and understood the contents of the Petition Under 37 C.F.R. § 1.47(b) and the Declaration of S.H. Michael Kim in Support of Petition Under 37

C.F.R. § 1.47(b) ("Kim Declaration") filed herewith in response to the Notice to File Missing Parts of Non-provisional Application dated October 31, 2003.

3. I understand that Chunta Chen ("Chen"), Chiihsin Kao ("Kao"), and Ming-Kang Liu ("Liu") are the joint inventors of the above-captioned reissue patent application.

4. On November 24, 2003, and December 5, 2003, I sent each of Chen, Kao, and Liu a letter signed by Mr. Kim. The letters (Exhibit E to Kim Declaration) each included the Reissue Declaration, a copy of the reissue application, and a Preliminary Amendment containing new claims filed with the reissue application on September 18, 2003. I separately sent the letters to the last-known addresses of Chen, Kao, and Liu via Federal Express, as indicated on the tracking reports attached as Exhibit F to Kim Declaration. I understood that each letter requested that Chen, Kao, and Liu each sign the Declaration and join the reissue application. The November 24, 2003, letters requested return of the signed Declarations by December 5, 2003, and the December 5, 2003, letters requested return of the signed Declarations by December 16, 2003. Each of the letters included a self-addressed Federal Express envelope for return of the signed Declarations. The Federal Express tracking reports for the letters (see Exhibit F to Kim Declaration) indicate that the first letter to Chen with the tracking number of 839238288531 was delivered on November 25, 2003, at 9:52 a.m., and the second letter to Chen with the tracking number of 842616874670 was delivered on December 9, 2003, at 3:03 p.m. Also, the first letter to Kao with the tracking number of 839238288439 was delivered on November 25, 2003, at 9:44 a.m., and the second letter to Kao with the tracking number of 842616874648 was delivered on December 9,

2003, at 11:48 a.m. The first letter to Liu with the tracking number of 839238288509 was delivered on November 25, 2003, at 10:03 a.m., and the second letter to Liu with the tracking number of 842616874637 was delivered on December 8, 2003, at 4:43 p.m.

5. I obtained the last-known addresses of Chen, Kao, and Liu from ITEX Inc., the original assignee of this reissue application and their former employer. According to the e-mail from Ms. Yaw Sheh Kao of ITEX Inc., dated December 10, 2003, and attached as Exhibit G to Kim Declaration, no other contact information for Chen, Kao, and Liu was available.

6. I understand that on December 7, 2003, Michael Kim received an e-mail from Liu (Exhibit H to Kim Declaration), who stated that he was busy and out of the country and that returning the signed Declaration to Michael Kim before December 5, 2003, was not possible. Mr. Liu asked that his signature on the Declaration be waived. I also understand Michael Kim contacted Mr. Liu and allowed the signed Declaration to be returned in January.

7. On January 6, 2004, I sent each of Messrs. Chen and Kao a letter signed by Mr. Kim (Exhibit I to Kim Declaration) via Federal Express to their last known addresses. I understand that those letters requested that they return the signed Declarations by January 20, 2004. Those letters also stated that non-receipt of the signed Declarations by that date would be understood to be a refusal by Chen and Kao to join this reissue application. The Federal Express tracking reports for those letters are attached as Exhibit J to Kim Declaration. The third letter to Kao with the tracking number of 842616874718 was delivered on January 7, 2004, at 11:55 a.m. The third

letter to Chen was returned to our firm on January 21, 2004, because of the inability to obtain Chen's signature for the delivery.

8. On January 22, 2004, a third letter signed by Mr. Kim (Exhibit K to Kim Declaration) was sent via Federal Express to Chen's home address with instructions to leave the letter without requiring that a signature be obtained upon delivery. I understand that the letter requested that Chen return the signed Declaration by January 29, 2004. The letter also stated that non-receipt of the signed Declaration by that date would be understood to be a refusal by Chen to join this reissue application. The Federal Express report for tracking number 842616784865 indicates delivery on January 23, 2004, at 9:04 a.m. (Exhibit L to Kim Declaration.)

9. On February 12, 2004, a third letter signed by Mr. Kim (Exhibit M to Kim Declaration) was sent via Federal Express to Liu's home address. I understand that the letter requested that Liu return the signed Declaration by February 20, 2004. The letter also stated that non-receipt of the signed Declaration by that date would be understood to be a refusal by Liu to join this reissue application. The Federal Express report for tracking number 842616874821 indicates delivery on February 12, 2004, at 6:04 p.m. (Exhibit N to Kim Declaration).

10. To date, neither Chen nor Kao have replied to the November 24, 2003, December 5, 2003, January 6, 2004, or January 22, 2004, letters or otherwise provided a signed Declaration. Liu has requested that his signature be waived and has failed to reply the February 12, 2004, letter. I believe that the activities of Chen, Kao, and Liu, as described above and in the Kim Declaration, establish that the inventors cannot be found or fail to respond after diligent efforts. The activities of the inventors also suggest



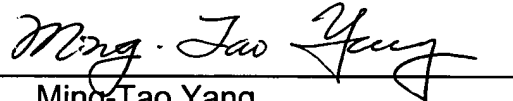
that the inventors have refused to execute the application papers and join the reissue application.

11. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: March 1, 2004

By:   
Ming-Tao Yang

**CERTIFICATE OF EXPRESS MAILING**

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Date: March 1, 2004

Signed: Linda Phillips  
Linda Phillips

**PATENT**

Customer No. 22,852

Attorney Docket No. 08834.0038

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Reissue Application of	)	
U.S. Patent No. 6,292,515 to	)	Group Art Unit: Unassigned
	)	
Chiihsin KAO et al.	)	Examiner: Unassigned
	)	
Reissue Serial No.: 10/668,095	)	
	)	
Filed: September 18, 2003	)	
	)	
For: DUAL MODE BIT AND GAIN	)	
LOADING CIRCUIT AND	)	
PROCESS	)	

**Mail Stop Reissue**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**DECLARATION**

On behalf of Realtek Semiconductor Corporation ("Realtek"), the assignee of the entire interest in U.S. Patent No. 6,292,515 ("the '515 patent") and Application No. 10/668,095 ("the '095 application"), I hereby declare that:

1. I am the President of Applicant corporation Realtek, a corporation incorporated in Taiwan and having a registered address at Science-Based Industrial Park, No. 2, Industry E. Rd. IX, Hsinchu, Taiwan, R.O.C.
2. The full name, citizenship, residence, and the last known mailing address of each of the inventors are listed below.



Full Name: Chiihsin Kao  
Citizenship: United States  
Residence: Palo Alto, California  
Mailing Address: 521 Driscoll Place, Palo Alto, California 94306

Full Name: Chunta Chen  
Citizenship: Taiwan  
Residence: Fremont, California  
Mailing Address: 5946 Remer Terrace, Fremont, California 94555

Full Name: Ming-Kang Liu  
Citizenship: United States  
Residence: San Jose, California  
Mailing Address: 6535 Canterbury Court, San Jose, California 95129

3. Applicant's Relationship to Non-signing Inventors: Applicant has no direct business relationship with the non-signing inventors. However, all of the non-signing inventors were the employees of a former assignee of the '515 patent. Specifically, to the applicant's knowledge, the non-signing inventors were employees of Integrated Telecom Express Inc. ("ITeX") when the parent application of the '515 patent was filed, and the inventors assigned the application to ITeX on December 16, 1997. (See Attachment A.)

4. The inventors have agreed in writing to assign the invention to the Applicant (through the inventors' assignment and two additional assignments). As show in Attachment A, the inventors agreed in writing to assign the subject matter of application no. 08/991,810 ("the '810 application") to ITeX on December 16, 1997. The continuation of the '810 application, application no. 09/510,578, matured into the '515 patent issued on September 18, 2001. (See Attachment B.) Thereafter, ITeX assigned the '515 patent on June 23, 2003, to Real Communications, Inc., which assigned the '515 patent to the Applicant on September 2, 2003. (See Attachments

C and D.) Applicant filed the reissue application of the '515 patent on September 18, 2003. Accordingly, the inventors have agreed in writing to assign the invention to the Applicant.

5. Applicant has reviewed and understands the contents of the specification, including the claims, of the reissue application, Application Serial No. 10/668,095, filed on September 18, 2003. Applicant believes that the amendment and the claims do not add new matter to the original specification and claims.

6. Applicant believes that Chiihsin Kao, Chunta Chen, and Ming-Kang Liu are the original and the first inventors of the subject matter described and claimed in United States Patent No. 6,292,515, granted on September 18, 2001, of which a reissue patent is sought by this reissue application filed September 18, 2003, serial no. 10/668,095.

7. Applicant acknowledges the duty to disclose to the Office all information known to us to be material to patentability as defined in 37 C.F.R. § 1.56.

8. Applicant believes that U.S. Patent No. 6,292,515 is partly inoperative or invalid at least because Applicant claimed more or less than Applicant had the right to claim in the patent. For example, the original claims of the '515 patent recite first and second adaptation procedures or first and second adaption routines. Applicant believes it is entitled to claims not limited by the first and second adaptation procedures and not limited by the first and second adaption routines. Applicant therefore added new claims 20-100 not limited by those elements.

9. All errors which are being corrected in the present reissue application up to the time of filing of this declaration arose without any deceptive intention on the part of Applicant.

10. An error which is a statutory basis for reissue is that the patent fails to contain claims of broader scope. See *Hewlett-Packard Co. v. Bausch & Lomb, Inc.*, 882 F.2d 1556, 1564-1565, 11 U.S.P.Q.2d 1750, 1757 (Fed. Cir. 1989); *In re Handel* 312 F.2d 943, 945- 46 n.2, 136 U.S.P.Q. 460, 462 n.2 (C.C.P.A. 1963). Applicant filed the reissue application on September 18, 2003, to introduce broader scope claims.

11. I hereby declare that all statements made herein are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

REALTEK SEMICONDUCTOR  
CORPORATION

Dated: February 26, 2004

By: Sun-Chien Chiu  
(Signature)

Sun Chien Chiu  
(Name)

President  
(Title)

## ASSIGNMENT

Docket Number : ITE-970 10

Application Number:

Filing Date: 12/16/97

In consideration of One Dollar and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the undersigned inventor, or each inventor if more than one, hereby assigns to Integrated Technology Express, Inc. having an address of 2710 Walsh Avenue, Santa Clara, CA 95051, its successors and assigns (hereinafter called "said assignee"), the entire right, title and interest in the invention or improvements of the undersigned disclosed in the above-identified Application entitled Circuit for Configuring and Dynamically Adapting Data and Energy Parameters in a Multi-Channel Communications System, and in said applications and any and all other applications for patent or similar rights in any country, which the undersigned may file, either solely or jointly with others, on said invention or improvements, and in any and all Letters Patent or similar rights of the United States or any other country which may be obtained on any of said applications, and in any reissue or extension thereof.

The undersigned hereby authorizes and requests the Commissioner of Patents or other official of other countries to issue said Letters Patent or similar rights to said assignee.

The undersigned hereby authorizes and requests the attorneys of record in said application to insert in this assignment the date and serial number of said application.

For said consideration, the undersigned hereby agrees, upon the request and at the expense of said assignee, to execute any divisional, continuation or substitute application for said invention or improvements, and any oath, declaration or affidavit relating thereto, and any application for the reissue or extension of any Letters Patent or similar rights that may be granted upon said application, and, in the event of any application or Letters Patent or similar rights assigned herein becoming involved in interference or other proceedings relating thereto, to cooperate to the best of the ability of the undersigned in the matters of preparing and executing any preliminary statement or other documents as appropriate, and giving and producing evidence and/or testimony in support thereof. The undersigned agrees to perform, upon request, any affirmative acts to obtain, maintain, issue and enforce said Letters Patent or similar rights of the United States or any other country and vest in said assignee all rights therein, whereby said Letters Patent or similar rights will be held and enjoyed by said assignee, to the full end of the term for which said Letters Patent or similar rights may be granted as fully and entirely as the same would have been held and enjoyed by the undersigned if this assignment had not been made.

The undersigned hereby covenants that the undersigned has not made, will not make, and is not aware of any assignment, sale, agreement or encumbrance of the above referenced invention which would conflict with this assignment.

And for said consideration, the undersigned hereby assigns to said assignee the entire right, title and interest in said invention or improvements in the United States and all foreign countries, including all priority rights under the International Convention, and agrees to execute, at the request of said assignee, all documents in connection with any application for foreign letters patent therefor.

SIGNATURE(S) AND NOTARIZATION  
OF SIGNATURE(S) TO ASSIGNMENT

Signature of First Inventor:

Chiihsin Kao

Name (printed) First Inventor:

12/16/97 - Chiihsin Kao

Date of Signature/Execution:

12-16-97

Signature of Second Inventor:

Chun-Ta Chen

Name (printed) Second Inventor:

CHUN-TA CHEN

Date of Signature/Execution:

Dec. 16, '97

Signature of Third Inventor:

Ming Kang Liu

Name (printed) Third Inventor:

Ming-Kang Liu

Date of Signature/Execution:

Dec 16, 1997

STATE OF \_\_\_\_\_ )

) SS.

COUNTY OF \_\_\_\_\_ )

I, \_\_\_\_\_, a Notary Public in and for said county and state, do hereby certify that Chiihsin Kao, Chunta Chen, and Ming Kang Liu, personally known to me to be the same person(s) whose name(s) is/are subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that he/she signed and delivered the said instrument as his/her free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and notarial seal this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_.

See ATTACHED

NOTARY PUBLIC



Docket Number : ITE-97010

**VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS**

**(37 CFR 1.9(f) & 1.27(c))--SMALL BUSINESS CONCERN**

Applicant or Patentee: Integrated Technology Express, Inc.

Application or Patent No.:

Filed: 12/16/97

Title: Circuit for Configuring and Dynamically Adapting Data and Energy Parameters in a Multi-Channel Communications System

I hereby declare that I am:

☐ the owner of the small business concern identified below:

☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN: Integrated Technology Express, Inc.

ADDRESS OF SMALL BUSINESS CONCERN: 2710 Walsh Avenue, Santa Clara, CA 95051

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time, or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

☒ the specification filed herewith with title as listed above.

☐ the application identified above.

☐ the patent identified above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern, or organization having rights in the invention must file separate verified statements averring to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern, or organization having any rights in the invention is listed below:

☒ no such person, concern, or organization exists.

☐ each such person, concern, or organization is listed below.

Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING

Daniel Chien Daniel Chien

TITLE OF PERSON IF OTHER THAN OWNER

President & CEO

ADDRESS OF PERSON SIGNING

2710 Walsh Ave., Santa Clara, CA 95051

SIGNATURE

Daniel Chien

DATE

12/16/97

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

No. 5193

State of California

County of Santa Clara

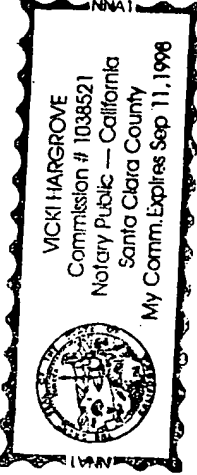
On Dec. 16, 1997 before me, Vicki Hargrove, Notary Public

NAME, TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC"

personally appeared CHI HSIN KAO, CHUNTA CHEN, MING KANG LIA  
NAME(S) OF SIGNER(S)

☐ personally known to me - OR - ☒ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.



OPTIONAL SECTION

CAPACITY CLAIMED BY SIGNER

Though statute does not require the Notary to fill in the data below, doing so may prove invaluable to persons relying on the document.

- ☒ INDIVIDUAL  
☐ CORPORATE OFFICER(S)  
TITLE(S)  
☐ PARTNER(S) ☐ LIMITED ☐ GENERAL  
☐ ATTORNEY-IN-FACT  
☐ TRUSTEE(S)  
☐ GUARDIAN/CONSERVATOR  
☐ OTHER:

SIGNER IS REPRESENTING:

NAME OF PERSON(S) OR ENTITY(IES)

OPTIONAL SECTION

THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED AT RIGHT:

TITLE OR TYPE OF DOCUMENT ITE - 970010

NUMBER OF PAGES \_\_\_\_\_ DATE OF DOCUMENT \_\_\_\_\_

SIGNER(S) OTHER THAN NAMED ABOVE \_\_\_\_\_

Though the data requested here is not required by law, it could prevent fraudulent reattachment of this form.

## INTELLECTUAL PROPERTY ASSIGNMENT

This Intellectual Property Assignment (this "Assignment") is made as of 11/23/01, 2003 by Integrated Telecom Express, Inc., a Delaware corporation ("Assignor"), to Real Communications, Inc., a corporation organized under the laws of the State of California ("Assignee").

### RECITALS

A. Assignor owns the patents issued by the United States Patent and Trademark Office and certain foreign patent and trademark offices, as well as patent applications filed with the United States Patent and Trademark Office and certain foreign patent and trademark offices, as set forth on Schedule A hereto (the "Patents").

B. Pursuant to a Purchase Agreement between Assignor and Assignee, Assignor desires to assign to Assignee all of Assignor's right, title and interest in and to the Patents.

### ASSIGNMENT

NOW, THEREFORE, in consideration of the foregoing premises, the mutual covenants and agreements contained in the Purchase Agreement and the covenants and agreements in this Assignment and to induce Assignee to consummate the transactions contemplated by the Purchase Agreement, Assignor agrees as follows:

1. Assignor does hereby sell, transfer, convey, assign and deliver to Assignee all of Assignor's right, title and interest in and to the Patents (and regarding Patents that are patent applications, any patents that may issue therefrom), including any foreign counterparts, divisions, continuations or reissues thereof, the same to be held by Assignee for Assignee's own use and enjoyment, and for the use and enjoyment of Assignee's successors, assigns and other legal representatives, as fully and entirely as the same would have been held and enjoyed by Assignor if this Assignment and sale had not been made; together with all claims for damages by reason of past infringements of the Patents, along with the right to sue for and collect such damages for the use and benefit of Assignee and its successors, assigns and other legal representatives.

2. Assignor hereby authorizes and requests the Commissioner of Patents and Trademarks of the United States, and any officer of any country or countries foreign to the United States, whose duty it is to issue patents or other evidence or forms of intellectual property protection or applications as aforesaid, to issue the same to Assignee and its successors, assigns and other legal representatives in accordance with the terms of this instrument.

IN WITNESS WHEREOF, Assignor has executed this Assignment on the date first above written.

ITeX

By: [Signature]

Name: Jones Williams

Title: Chief Financial Officer

## SCHEDULE A

### PATENTS

Title	Issue Date	Patent Number	Inventor
Modular multiplicative data rate modem and method of operation	5/16/00	6,065,060	Liu, et al.
Program for controlling DMT based modem using sub-channel selection to achieve scaleable data rate based on available signal processing resources	6/6/00	6,073,179	Liu, et al.
Method of configuring and dynamically adapting data and energy parameters in a multi-channel communications system	6/13/00	6,075,821	Kao, et al.
Digital subscriber loop access circuit for digital switch and packet network interconnections	6/27/00	6,081,517	Liu, et al.
ADSL transceiver implemented with associated bit and energy loading integrated circuit	7/4/00	6,084,906	Kao, et al.
Circuit for configuring and dynamically adapting data and energy parameters in a multi-channel communications system	7/4/00	6,084,917	Kao, et al.
xDSL DMT modem using sub-channel selection to achieve scaleable data rate based on available signal processing resources	7/18/00	6,092,122	Liu, et al.
Circuit for configuring data and energy parameters in a multi-channel communications system	7/25/00	6,094,459	Kao, et al.
Software rate adaptable modem with forward compatible and expandable functionality and method of operation	10/3/00	6,128,335	Liu, et al.
Method for configuring data and energy parameters in a multi-channel communications system	10/3/00	6,128,348	Kao, et al.
Access and setup process for end-to-end data and analog voice connections	10/10/00	6,130,879	Liu
Method and circuit for controlling setup of multichannel system	4/24/01	6,222,888	Kao, et al.
Forward compatible and expandable high speed communications system and method of operation	6/26/01	6,252,900	Liu, et al.
System and method for detecting symbol boundary in multi-carrier transmission systems	8/21/01	6,279,022	Miao, et al.
Dual mode bit and gain loading circuit and process	9/18/01	6,292,515	Kao, et al.
Configurable digital subscriber loop access and end-to-end data and analog voice connection system	2/19/02	6,349,096	Liu, et al.
Circuit and Method for Detecting a Tone Signal	7/23/2002	6,424,925	Ku, et al.
Multiple Low Speed Sigma-Delta Analog Front Ends for Full Implementation of High-Speed Data Link Protocol	8/27/2002	6,442,195	Liu, et al.

### PATENT APPLICATIONS

Description	Open date	Patent Application Serial Number	Inventor
Scaleable Architecture for Multiple-Port	3/1/2001	09797633	Liu, Ming-Kang

Physical Medium Dependent Sub-System	3/1/2001	09798113	Liu, Ming-Kang
Transport Convergence Sub-System	3/1/2001	09797634	Liu, Ming-Kang
Scaleable Architecture for Multiple-Port	3/1/2001	106809	Liu, Ming-Kang
System and Method for Internal Operation	3/1/2001	09797789	Liu, Ming-Kang
xDSL Communications Systems Using	3/1/2001	09797778	Liu, Ming-Kang
Mixed Hardware/Software Architecture	3/1/2001	09797793	Liu, Ming-Kang
xDSL Symbol Processor & Method	3/1/2001	09797782	Liu, Ming-Kang
Logical Pipeline for Data Communications System	3/1/2001	09798054	Liu, Ming-Kang
xDSL Function ASIC Processor & Method of Operation	3/1/2001	09798133	Liu, Ming-Kang
Data Object Architecture and Method for xDSL	3/1/2001	09797755	Liu, Ming-Kang
Programmable Task Scheduler	3/1/2001	09797648	Liu, Ming-Kang
Forward Compatible & Expandable High-Speed	12/19/2000	09741748	Liu, Young Way; et al.
System and Method for Configuring Time Domain...	11/13/1998	09191147	
Tone Detect	8/30/00	PCT/US00/23955	

Acknowledgment by Notary Public

State of California  
County of Santa Clara

On this 23 day of June, 2003 before me, the undersigned Notary Public, personally appeared James Williams, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he or she executed the same.

Seal:

Signature: \_\_\_\_\_

Name: Sandra Medeiros, Notary Public



## ASSIGNMENT

WHEREAS, REAL COMMUNICATIONS, INC., hereinafter referred to as "ASSIGNOR", a corporation organized under the laws of the State of California, is the sole and exclusive owner, by assignment, of the United States Letters Patent and the United States patent applications listed on attached Schedule A;

and

WHEREAS, REALTEK SEMICONDUCTOR CORPORATION, hereinafter referred to as "ASSIGNEE", a corporation of Taiwan, R. O. C., whose post office address is No. 2, Industry E. Rd. IX, Science-Based Industrial Park, Hsinchu, Taiwan, R. O. C. is desirous of acquiring the entire right, title, and interest in, to and under said United States Letters Patent and said United States patent applications and the United States Letters Patent to be issued upon these applications and the inventions covered thereby;

NOW THEREFORE, be it known that, for good and valuable consideration, the receipt of which from Assignee is hereby acknowledged, Assignor, has sold, assigned, transferred, and set over, and does hereby sell, assign, transfer, and set over unto the Assignee, its lawful successors and assigns, its entire right, title, and interest in and to these inventions, these United States Letters Patents and these United States patent applications, all divisions, and continuations thereof, and all United States Letters Patent which may be granted thereon, and all reissues thereof; and Assignor hereby authorizes and requests the Commissioner of Patents and Trademarks of the United States to issue all Letters Patent for these inventions and these United States patent applications to Assignee, its successors and assigns, in accordance with the terms of this Assignment;

AND, ASSIGNOR HEREBY further covenants and agrees that it will, without further consideration, communicate with Assignee, its successors and assigns, any facts known to it respecting these inventions, this United States Letters Patent and these United States patent applications, and testify in any legal proceeding, sign all lawful papers when called upon to do so, execute and deliver all papers that may be necessary or desirable to perfect the title to these inventions, this United States Letters Patent, and these United States patent applications, in said Assignee, its successors and assigns, execute all divisional, continuation, and reissue applications, make all rightful oaths and generally do everything possible to aid Assignee, its successors and assigns, to obtain and enforce proper patent protection for these inventions, this United States Letters Patent and these United States patent applications, in the United States, it being understood that any expense incident to the execution of such papers shall be borne by the Assignee, its successors and assigns.

IN TESTIMONY WHEREOF, REAL COMMUNICATIONS, INC. has caused these presents to be signed by its duly authorized officer.

Signature: Chin Chen  
Typed Name: Chin Chen  
Title: Secretary and Chief Financial Officer  
Date: 9/2/03



## SCHEDULE A

U.S. Patent Applications

<u>Application Number</u>	<u>Former Docket No.</u>	<u>Current Docket No.</u>
09/797,633	ITEX 2001-1	8834.0017
09/798,133	ITEX 2001-7	8834.0009
09/797,634	ITEX 2001-11	8834.0013
09/797,789	ITEX 2001-2	8834.0014
09/797,778	ITEX 2001-3	8834.0015
09/797,793	ITEX 2001-4	8834.0016
09/797,782	ITEX 2001-5	8834.0007
09/798,054	ITEX 2001-6	8834.0008
09/798,113	ITEX 2001-10	8834.0012
09/797,755	ITEX 2001-8	8834.0010
09/797,648	ITEX 2001-9	8834.0011
09/741,748	ITEX 97-001C	8834.0033-01
09/191,147	ITEX 98-004	8834.0036

U.S. Patents

<u>Patent Number</u>	<u>Former Docket No.</u>	<u>Current Docket No.</u>
6,065,060	ITEX 97-004	8834.0019
6,073,179	ITEX 97-006	8834.0020
6,075,821	ITEX 97-011	8834.0024
6,081,517	ITEX 97-014	8834.0035
6,084,906	ITEX 97-012	8834.0026
6,084,917	ITEX 97-010	8834.0023
6,092,122	ITEX 97-002	8834.0032
6,094,459	ITEX 97-008	8834.0021
6,128,335	ITEX 97-003	8834.0027
6,128,348	ITEX 97-009	8834.0022
6,130,879	ITEX 97-015	8834.0018
6,222,888	ITEX 2000-02	8834.0030
6,252,900	ITEX 97-001	8834.0033
6,279,022	ITEX 98-002	8834..0029
6,292,515	ITEX 2000-01	8834.0031
6,349,096	ITEX 97-013	8834.0025
6,424,925	M 7782 US	8834.0034
6,442,195	ITEX 97-016	8834.0028

CERTIFICATE OF EXPRESS MAILING

Express Mail Label No.: EL 589 696 977 US

I hereby certify that this correspondence is being deposited with the United States Postal Services "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10, addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below.

Date: March 1, 2004

Signed: 

Linda Phillips

PATENT

Customer No. 22,852

Attorney Docket No. 08834.0038

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application of	)	
U.S. Patent No. 6,292,515 to	)	Group Art Unit: Unassigned
	)	
Chiihsin KAO et al.	)	Examiner: Unassigned
	)	
Reissue Serial No.: Unassigned	)	
	)	
Filed: September 18, 2003	)	
	)	
For: DUAL MODE BIT AND GAIN	)	
LOADING CIRCUIT AND	)	
PROCESS	)	

**Mail Stop Reissue**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**DECLARATION OF SANG HUI MICHAEL KIM IN SUPPORT  
OF PETITION UNDER 37 C.F.R. § 1.47(b)**

I, Sang Hui Michael Kim, hereby declare as follows:

1. I am a registered patent attorney (PTO Reg. No. 40,450) at the law firm of Finnegan, Henderson, Farabow, Garrett & Dunner, LLP, of 1300 I Street, NW, Washington, DC 20005. I have first-hand knowledge of the facts recited in this Declaration.

2. I understand that Chunta Chen ("Chen"), Chiishin Kao ("Kao"), and Ming-Kang Liu ("Liu") are joint inventors in the above-captioned reissue patent application.

3. On November 24, 2003, and December 5, 2003, I sent each of Chen, Kao, and Liu a letter, attached as Exhibit E without enclosures, each included a copy of the reissue application, a Preliminary Amendment containing new claims filed with the reissue application on September 18, 2003, and a copy of the Reissue Declaration filed with the reissue application. I separately sent those letters to the last-known addresses of Chen, Kao, and Liu via Federal Express, as indicated on the tracking reports (Exhibit F). The letters respectively requested Chen, Kao, and Liu to sign the Declaration and join the reissue application. The November 24, 2003, letters requested return of the signed Declarations by December 5, 2003, and the December 5, 2003, letters requested return of the signed Declarations by December 16, 2003. Each of those letters included a self-addressed Federal Express envelope for return of the signed Declarations. The Federal Express tracking reports for the letters (see Exhibit F) indicate that the first letter to Chen with the tracking number of 839238288531 was delivered on November 25, 2003, at 9:52 a.m., and the second letter to Chen with the tracking number of 842616874670 was delivered on December 9, 2003, at 3:03 p.m. Also, the first letter to Kao with the tracking number of 839238288439 was delivered on November 25, 2003, at 9:44 a.m., and the second letter to Kao with the tracking number of 842616874648 was delivered on December 9, 2003, at 11:48 a.m. The first letter to Liu with the tracking number of 839238288509 was delivered on November 25, 2003, at 10:03 a.m., and the second letter to Liu with the tracking number of 842616874637 was delivered on December 8, 2003, at 4:43 p.m.

4. I understand that Ming-Tao Yang, an attorney who works with me on this reissue application, obtained the last-known addresses of Chen, Kao, and Liu from ITEX Inc., the original assignee of this reissue application and the former employer of Chen, Kao, and Liu. According to the e-mail from Ms. Yaw Sheh Kao of ITEX Inc. to Mr. Yang, dated December 10, 2003, and attached as Exhibit G, no other contact information for Chen, Kao, and Liu was available.

5. On December 7, 2003, I received an e-mail from Liu (Exhibit H), who stated that he was busy and out of the country and that returning the signed Declaration to before December 5, 2003, was not possible. Mr. Liu asked that his signature on the Declaration be waived. I contacted Mr. Liu and allowed the signed Declaration to be returned in January.

6. On January 6, 2004, I sent each of Messrs. Chen and Kao a letter (Exhibit I) via Federal Express to their last-known addresses, requesting that they return the signed Declarations by January 20, 2004. Those letters also stated that non-receipt of the signed Declarations by that date would be understood to be a refusal by Chen and Kao to join this reissue application. The Federal Express tracking reports for those letters are attached as Exhibit J. The third letter to Kao with the tracking number of 842616874718 was delivered on January 7, 2004, at 11:55 a.m. The third letter to Chen was returned to our firm on January 21, 2004, because of the inability to obtain Chen's signature for the delivery.

7. On January 22, 2004, I sent a third letter (Exhibit K) via Federal Express to Chen's home address with instructions to leave the letter without requiring that a signature be obtained upon delivery. That letter requested that Chen return the signed

Declaration by January 29, 2004. The letter also stated that non-receipt of the signed Declaration by that date would be understood to be a refusal by Chen to join this reissue application. The Federal Express report for tracking number 842616784865 indicates delivery on January 23, 2004, at 9:04 a.m. (Exhibit L.)

8. On February 12, 2004, I sent a third letter (Exhibit M) via Federal Express to Liu's home address. That letter requested that Liu return the signed Declaration by February 20, 2004. The letter also stated that non-receipt of the signed Declaration by that date would be understood to be a refusal by Liu to join this reissue application. The Federal Express report for tracking number 842616874821 indicates delivery on February 12, 2004, at 6:04 p.m. (Exhibit N.)


9. To date, neither Chen nor Kao have replied to the November 24, 2003, December 5, 2003, January 6, 2004, or January 22, 2004, letters or otherwise provided a signed Declaration. Liu has requested that his signature be waived and has failed to reply the February 12, 2004, letter. I believe that the activities of Chen, Kao, and Liu, as described above and in the Kim Declaration, establish that the inventors cannot be found or fail to respond after diligent efforts. The activities of the inventors also suggest that the inventors have refused to execute the application papers and join the reissue application.

10. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: March 1, 2004

By:   
Sang Hui Michael Kim  
Reg. No. 40,450



S.H. MICHAEL KIM  
(650) 849-6680  
Michael.Kim@finnegan.com

November 24, 2003

Mr. Chunta Chen  
5946 Remer Terrace  
Fremont, CA 94555

**VIA FEDERAL EXPRESS**

Re: U.S. Reissue Patent Application No. 10/668,095  
Based on U.S. Patent No. 6,292,515 Entitled  
"Dual Mode Bit and Gain Loading Circuit and Process"  
Our Reference: 08834.0038-00000

Dear Mr. Chen:

You are a named inventor, along with Chunta Chen and Ming-Kang Liu, in the above '515 patent. The '515 patent is now owned by RealTek Semiconductor Corp., which has filed a reissue application to seek claims of various scopes.

We enclose a copy of the Reissue Application filed in the United States Patent and Trademark Office on September 18, 2003, which includes a complete copy of original U.S. Patent No. 6,292,515 and a Preliminary Amendment containing new claims 20-100. Please review those documents, especially new claims 20-100.

Because you are a named inventor, we also enclose a Declaration that needs your signature. After you have reviewed the enclosed documents, please forward to us the signed Declaration in the enclosed self-addressed Federal Express envelope.

We ask that the signed Declaration be sent to us no later than **December 5, 2003**. We appreciate your assistance in this matter.

Please do not hesitate to contact us if you have any questions. In addition, please kindly let us know your e-mail address or telephone number so that we can reach you regarding this Reissue Application if need be.

With best regards,

Sincerely,

  
S.H. Michael Kim

MXK/MTY/ré  
Enclosures



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3 **CHUNTA CHEN**

Phone (650) 849-6600

any **FINNEGAN & HENDERSON ET AL**SSS **700 HANSEN WAY**

Dept./Floor/Suite/Room

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1 **MING-TAO YANG**

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delivery to select locations  
**Packages up to 150 lbs.**  
Delivery commitment may be later in some areas.☐ FedEx 2Day  
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FedEx Envelope rate not available. Minimum charge: One-pound rate☐ FedEx Express Saver  
Third business day

## 4b Express Freight Service

☐ FedEx 1Day Freight\*  
Next business day☐ FedEx 2Day Freight  
Second business day☐ FedEx 3Day Freight  
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**Packages over 150 lbs.**  
Delivery commitment may be later in some areas.

\* Call for Confirmation.

## 5 Packaging

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Includes FedEx Small Pak, FedEx  
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\* Declared value limit \$500

## 6 Special Handling

☐ SATURDAY Delivery  
Available ONLY for  
FedEx Priority Overnight and  
FedEx 2Day to select ZIP codes☐ HOLD Weekday  
at FedEx Location  
NOT Available for  
FedEx First Overnight☐ HOLD Saturday  
at FedEx Location  
Available ONLY for  
FedEx Priority Overnight and  
FedEx 2Day to select locations

Does this shipment contain dangerous goods?

☐ No☐ YesAs per attached  
Shipper's Declaration☐ YesShipper's Declaration  
not required☐ Dry Ice

Dry Ice, 9, UN 1845

kg

Dangerous Goods (including Dry Ice) cannot be shipped in FedEx packaging.

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<sup>1</sup>Our liability is limited to \$100 unless you declare a higher value. See back for details.

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## 8 Release Signature

Sign to authorize delivery without obtaining signature.

By signing you authorize us to deliver this shipment without obtaining a signature  
and agree to indemnify and hold us harmless from any resulting claims.

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S.H. MICHAEL KIM  
(650) 849-6680  
Michael.Kim@finnegan.com

November 24, 2003

Mr. Chiihsin Kao  
521 Driscoll Place  
Palo Alto, CA 94306

**VIA FEDERAL EXPRESS**

Re: U.S. Reissue Patent Application No. 10/668,095  
Based on U.S. Patent No. 6,292,515 Entitled  
"Dual Mode Bit and Gain Loading Circuit and Process"  
Our Reference: 08834.0038-00000

Dear Mr. Kao:

You are a named inventor, along with Chunta Chen and Ming-Kang Liu, in the above '515 patent. The '515 patent is now owned by RealTek Semiconductor Corp., which has filed a reissue application to seek claims of various scopes

We enclose a copy of the Reissue Application filed in the United States Patent and Trademark Office on September 18, 2003, which includes a complete copy of original U.S. Patent No. 6,292,515 and a Preliminary Amendment containing new claims 20-100. Please review those documents, especially new claims 20-100.

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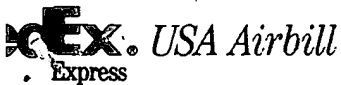
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With best regards,

Sincerely,

S.H. Michael Kim

MXK/MTY/ré  
Enclosures

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ress 700 HANSEN WAY

Dept./Floor/Suite/Room

PALO ALTO

State CA ZIP 94304-1016

Internal Billing Reference  
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ne HUNG-TAO YANG

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Next business afternoon☐ FedEx First Overnight  
Earliest next business morning  
delivery to select locations☐ FedEx 2Day  
Second business day  
FedEx Envelope rate not available. Minimum charge: One-pound rate☐ FedEx Express Saver  
Third business day

## 4b Express Freight Service

Packages over 150 lbs.

Delivery commitment may be later in some areas.

☐ FedEx 1Day Freight\*  
Next business day☐ FedEx 2Day Freight  
Second business day☐ FedEx 3Day Freight  
Third business day

\* Call for Confirmation.

## 5 Packaging

Declared value limit \$500

☒ FedEx Envelope\*☐ FedEx Pak\*Includes FedEx Small Pak, FedEx  
Large Pak, and FedEx Sturdy Pak☐ Other

## 6 Special Handling

Include FedEx address in Section 3.

☐ SATURDAY Delivery  
Available ONLY for  
FedEx Priority Overnight and  
FedEx 2Day to select ZIP codes☐ HOLD Weekday  
at FedEx Location  
NOT Available for  
FedEx First Overnight☐ HOLD Saturday  
at FedEx Location  
Available ONLY for  
FedEx Priority Overnight and  
FedEx 2Day to select locations

Does this shipment contain dangerous goods?

One box must be checked.

☐ No☐ YesAs per attached  
Shipper's Declaration☐ YesShipper's Declaration  
not required☐ Dry Ice

Dry Ice, 9, UN 1845

x kg

Dangerous Goods (including Dry Ice) cannot be shipped in FedEx packaging.

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S.H. MICHAEL KIM  
(650) 849-6680  
Michael.Kim@finnegan.com

November 24, 2003

Mr. Ming-Kang Liu  
6535 Canterbury Ct.  
San Jose, CA 95129

**VIA FEDERAL EXPRESS**

Re: U.S. Reissue Patent Application No. 10/668,095  
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With best regards,

Sincerely,

S.H. Michael Kim

MXK/MTY/ré  
Enclosures

M Please print and press hard.

Sender's FedEx  
Account Number

2176-6233-8

Sender's  
Name **HING-KANG LIU**

Phone (650) 849-6600

Company **FINNEGAN & HENDERSON ET AL**

Address **700 HANSEN WAY**

Dept./Floor/Suite/Room

**PALO ALTO**

State **CA** ZIP **94304-1016**

Internal Billing Reference  
4 characters will appear on invoice.

**08834.0038-00000**

Client's  
Name **HING-TAO YANG**

Phone ( )

Company **FINNEGAN-HENDERSON**

Address  
XLD\* at FedEx location, print FedEx address.

We cannot deliver to P.O. boxes or P.O. ZIP codes.

Address **700 HANSEN WAY**

Dept./Floor/Suite/Room

**PALO ALTO**

State **CA** ZIP **94304-1016**

Try online shipping at [fedex.com](http://fedex.com)

By using this Airbill you agree to the service conditions on the back of this Airbill  
and in our current Service Guide, including terms that limit our liability.

Questions? Visit our Web site at [fedex.com](http://fedex.com)  
or call 1.800.Go.FedEx® 800.463.3339.

0244666134

Sender's Copy

**4a Express Package Service**

Packages up to 150 lbs.

☒ FedEx Priority Overnight  
Next business morning

☐ FedEx Standard Overnight  
Next business afternoon

☐ FedEx First Overnight  
Earliest next business morning  
delivery to select locations

☐ FedEx 2Day  
Second business day  
FedEx Envelope rate not available. Minimum charge: One-pound rate

☐ FedEx Express Saver  
Third business day

**4b Express Freight Service**

Packages over 150 lbs.

☐ FedEx 1Day Freight\*  
Next business day

☐ FedEx 2Day Freight  
Second business day

☐ FedEx 3Day Freight  
Third business day

\* Call for Confirmation:

**5 Packaging**

\* Declared value limit \$500

☒ FedEx Envelope\*

☐ FedEx Pak\*  
Includes FedEx Small Pak, FedEx  
Large Pak, and FedEx Sturdy Pak

☐ Other

**6 Special Handling**

Include FedEx address in Section 3.

☐ SATURDAY Delivery  
Available ONLY for  
FedEx Priority Overnight and  
FedEx 2Day to select ZIP codes

☐ HOLD Weekday  
at FedEx Location  
NOT Available for  
FedEx First Overnight

☐ HOLD Saturday  
at FedEx Location  
Available ONLY for  
FedEx Priority Overnight and  
FedEx 2Day to select locations

Does this shipment contain dangerous goods?

One box must be checked.

☐ No

☐ Yes  
As per attached  
Shipper's Declaration

☐ Yes  
Shipper's Declaration  
not required

☐ Dry Ice  
Dry Ice, 9, UN 1845 x kg

Dangerous Goods (including Dry Ice) cannot be shipped in FedEx packaging.

☐ Cargo Aircraft Only

**7 Payment Bill to:**

Enter FedEx Acct. No. or Credit Card No. below.

☒ Sender  
Acct. No. in Section  
1 will be billed.

☐ Recipient

☐ Third Party

☐ Credit Card

☐ Cash/Check

FedEx Acct. No.  
Credit Card No.

Exp.  
Date

Total Packages

Total Weight

Total Declared Value\*

\$ .00

FedEx Use Only

\*Our liability is limited to \$100 unless you declare a higher value. See back for details.

**8 Release Signature**

Sign to authorize delivery without obtaining signature.

By signing you authorize us to deliver this shipment without obtaining a signature  
and agree to indemnify and hold us harmless from any resulting claims.

447

SF# • Rev. Date 4/02 • Part #1576105 • ©1994-2002 FedEx • PRINTED IN U.S.A.



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HENDERSON  
FARABOW  
GARRETT &  
DUNNER LLP

Stanford Research Park ▪ 700 Hansen Way ▪ Palo Alto, CA 94304-1016 ▪ 650.849.6600 ▪ Fax 650.849.6666  
www.finnegan.com

S.H. MICHAEL KIM  
(650) 849-6680  
Michael.Kim@finnegan.com

December 5, 2003

Mr. Chunta Chen  
5946 Remer Terrace  
Fremont, CA 94555

**VIA FEDERAL EXPRESS**

Re: U.S. Reissue Patent Application No. 10/668,095  
Based on U.S. Patent No. 6,292,515 Entitled  
"Dual Mode Bit and Gain Loading Circuit and Process"  
Our Reference: 08834.0038-00000

Dear Mr. Chen:

We kindly remind you that we have not received a signed Declaration from you regarding the above reissue application, which was enclosed in our letter to you dated November 24, 2003.

As we stated before, you are a named inventor, along with Ming-Kang Liu and Chiihsin Kao, in the above '515 patent. The '515 patent is now owned by RealTek Semiconductor Corp., which has filed a reissue application to seek more claims.

We enclose a copy of the Reissue Application filed in the United States Patent and Trademark Office on September 18, 2003, which includes a complete copy of original U.S. Patent No. 6,292,515 and a Preliminary Amendment containing new claims 20-100. Please review those documents, especially new claims 20-100.

Because you are a named inventor, we also enclose a Declaration that needs your signature. After you have reviewed the enclosed documents, please forward to us the signed Declaration in the enclosed self-addressed Federal Express envelope.

We ask that the signed Declaration be sent to us no later than **December 16, 2003**. We appreciate your assistance in this matter.

Mr. Chunta Chen  
December 5, 2003  
Page 2

FINNEGAN  
HENDERSON  
FARABOW  
GARRETT &  
DUNNER <sup>LLP</sup>

Please do not hesitate to contact us if you have any questions. In addition, please kindly let us know your e-mail address or telephone number so that we can reach you regarding this Reissue Application if need be.

With best regards,

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Kim". The signature is fluid and cursive, with the first name "Michael" written in a larger, more prominent script than the last name "Kim".

S.H. Michael Kim

MXK/MTY/ré  
Enclosures

FedEx  
Tracking  
Number

8426 1687 4660

Please print and press hard.

Sender's FedEx  
Account Number

2176-6233-8

To  
CHUNTA CHEN

Phone (650) 849-6600

FIRNNEGAN &amp; HENDERSON ET AL

700 HANSEN WAY

Dept./Floor/Suite/Room

PALO ALTO

State CA ZIP 94304-1016

Internal Billing Reference  
characters will appear on invoice.

08834-0038-00000

From  
MING-TAO YANG

Phone (650) 849-6646

FIRNNEGAN HENDERSON

700 HANSEN WAY

If at FedEx location, print FedEx address.

We cannot deliver to P.O. boxes or P.O. ZIP codes.

ISS

Dept./Floor/Suite/Room

PALO ALTO

State CA ZIP 94304

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By using this Airbill you agree to the service conditions on the back of this Airbill  
and in our current Service Guide, including terms that limit our liability.

Questions? Visit our Web site at fedex.com



## 4a Express Package Service

FedEx Priority Overnight  
Next business morningFedEx Standard Overnight  
Next business afternoonFedEx First Overnight  
Earliest next business morning  
delivery to select locationsFedEx 2Day  
Second business day  
FedEx Envelope rate not available. Minimum charge: One-pound rateFedEx Express Saver  
Third business day

## 4b Express Freight Service

FedEx 1Day Freight\*  
Next business dayFedEx 2Day Freight  
Second business dayFedEx 3Day Freight  
Third business day

\* Call for Confirmation:

## 5 Packaging

FedEx Envelope\*

FedEx Pak\*  
Includes FedEx Small Pak, FedEx  
Large Pak, and FedEx Sturdy Pak

Other

## 6 Special Handling

SATURDAY Delivery  
Available ONLY for  
FedEx Priority Overnight and  
FedEx 2Day to select ZIP codesHOLD Weekday  
at FedEx Location  
NOT Available for  
FedEx First OvernightHOLD Saturday  
at FedEx Location  
Available ONLY for  
FedEx Priority Overnight and  
FedEx 2Day to select locations

Does this shipment contain dangerous goods?

One box must be checked.

No Yes  
As per attached  
Shipper's DeclarationYes  
Shipper's Declaration  
not requiredDry Ice  
Dry Ice, 9 UN 1845

Dangerous Goods (including Dry Ice) cannot be shipped in FedEx packaging.

Cargo Aircraft Only

## 7 Payment Bill to:

Enter FedEx Acct. No. or Credit Card No. below.

Sender  
Acct. No. in Section  
1 will be billed.

Recipient

Third Party

Credit Card

Cash/Check

FedEx Acct. No.  
Credit Card No.Exp.  
Date

Total Packages

Total Weight

Total Declared Value\*

\$ .00

FedEx Use Only

\*Our liability is limited to \$100 unless you declare a higher value. See back for details.

## 8 Release Signature

Sign to authorize delivery without obtaining signature.

By signing you authorize us to deliver this shipment without obtaining a signature  
and agree to indemnify and hold us harmless from any resulting claims.

447





Stanford Research Park ■ 700 Hansen Way ■ Palo Alto, CA 94304-1016 ■ 650.849.6600 ■ Fax 650.849.6666  
www.finnegan.com

S.H. MICHAEL KIM  
(650) 849-6680  
Michael.Kim@finnegan.com

December 5, 2003

Mr. Chiihsin Kao  
521 Driscoll Place  
Palo Alto, CA 94306

**VIA FEDERAL EXPRESS**

Re: U.S. Reissue Patent Application No. 10/668,095  
Based on U.S. Patent No. 6,292,515 Entitled  
"Dual Mode Bit and Gain Loading Circuit and Process"  
Our Reference: 08834.0038-00000

Dear Mr. Kao:

We kindly remind you that we have not received a signed Declaration from you regarding the above reissue application, which was enclosed in our letter to you dated November 24, 2003.

As we stated before, you are a named inventor, along with Ming-Kang Liu and Chunta Chen, in the above '515 patent. The '515 patent is now owned by RealTek Semiconductor Corp., which has filed a reissue application to seek more claims.

We enclose a copy of the Reissue Application filed in the United States Patent and Trademark Office on September 18, 2003, which includes a complete copy of original U.S. Patent No. 6,292,515 and a Preliminary Amendment containing new claims 20-100. Please review those documents, especially new claims 20-100.

Because you are a named inventor, we also enclose a Declaration that needs your signature. After you have reviewed the enclosed documents, please forward to us the signed Declaration in the enclosed self-addressed Federal Express envelope.

We ask that the signed Declaration be sent to us no later than **December 16, 2003**. We appreciate your assistance in this matter.


Mr. Chiihsin Kao  
December 5, 2003  
Page 2

FINNEGAN  
HENDERSON  
FARABOW  
GARRETT &  
DUNNER <sup>LLP</sup>

Please do not hesitate to contact us if you have any questions. In addition, please kindly let us know your e-mail address or telephone number so that we can reach you regarding this Reissue Application if need be.

With best regards,

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Kim", written in a cursive style.

S.H. Michael Kim

MXK/MTY/ré  
Enclosures

**FEDEX** USA Airbill  
Express

FedEx  
Tracking  
Number

8426 1687 4659

Press print and press hard.

Sender's FedEx  
Account Number

2176-6233-8

Shipper's  
Name

CHUHSIN KAO

Phone 16501849-6600

Company

FINNEGAN & HENDERSON ET AL

Address

700 HANSEN WAY

Dept./Floor/Suite/Room

CITY

PALO ALTO

State CA

ZIP

94304-1016

Internal Billing Reference  
4 characters will appear on invoice.

08834.0038-00000

Shipper's  
Address

MING-TAO YANG

Phone 6501849-6646

Company

FINNEGAN-HENDERSON

Address

700 HANSEN WAY

We cannot deliver to P.O. boxes or P.O. ZIP codes.

City

PALO ALTO

State CA

ZIP

94304

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0259192543

Sender's Copy

#### 4a Express Package Service

☒ FedEx Priority Overnight

☐ FedEx Standard Overnight

Packages up to 150 lbs.

☐ FedEx First Overnight

☒ FedEx 2Day

☐ FedEx Express Saver

#### 4b Express Freight Service

☐ FedEx 1Day Freight\*

☐ FedEx 2Day Freight

☐ FedEx 3Day Freight

\* Call for Confirmation.

#### 5 Packaging

☒ FedEx Envelope\*

☐ FedEx Pak\*

☐ Other

#### 6 Special Handling

☐ SATURDAY Delivery  
Available ONLY for  
FedEx Priority Overnight and  
FedEx 2Day to select ZIP codes

☐ HOLD Weekday  
at FedEx Location  
NOT Available for  
FedEx First Overnight

☐ HOLD Saturday  
at FedEx Location  
Available ONLY for  
FedEx Priority Overnight and  
FedEx 2Day to select locations

Does this shipment contain dangerous goods?

One box must be checked.

☐ No ☐ Yes

As per attached  
Shipper's Declaration

☐ Yes

Shipper's Declaration  
not required

☐ Dry Ice

Dry Ice, I, UN 1845

Dangerous Goods (including Dry Ice) cannot be shipped in FedEx packaging.

☐ Cargo Aircraft Only

#### 7 Payment

Bill to:

Enter FedEx Acct. No. or Credit Card No. below.

☒ Sender

☐ Recipient

☐ Third Party

☐ Credit Card

☐ Cash/Check

FedEx Acct. No.

Credit Card No.

Exp.

Date

Total Packages

Total Weight

Total Declared Value\*

1

\$ .00

\*Our liability is limited to \$100 unless you declare a higher value. See back for details.

FedEx Use Only

#### 8 Release Signature

Sign to authorize delivery without obtaining signature.

By signing you authorize us to deliver this shipment without obtaining a signature  
and agree to indemnify and hold us harmless from any resulting claims.

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www.finnegan.com

S.H. MICHAEL KIM  
(650) 849-6680  
Michael.Kim@finnegan.com

December 5, 2003

Mr. Ming-Kang Liu  
6535 Canterbury Ct.  
San Jose, CA 95129

**VIA FEDERAL EXPRESS**

Re: U.S. Reissue Patent Application No. 10/668,095  
Based on U.S. Patent No. 6,292,515 Entitled  
"Dual Mode Bit and Gain Loading Circuit and Process"  
Our Reference: 08834.0038-00000

Dear Mr. Liu:

We kindly remind you that we have not received a signed Declaration from you regarding the above reissue application, which was enclosed in our letter to you dated November 24, 2003.

As we stated before, you are a named inventor, along with Chiihsin Kao and Chunta Chen, in the above '515 patent. The '515 patent is now owned by RealTek Semiconductor Corp., which has filed a reissue application to seek more claims.

We enclose a copy of the Reissue Application filed in the United States Patent and Trademark Office on September 18, 2003, which includes a complete copy of original U.S. Patent No. 6,292,515 and a Preliminary Amendment containing new claims 20-100. Please review those documents, especially new claims 20-100.

Because you are a named inventor, we also enclose a Declaration that needs your signature. After you have reviewed the enclosed documents, please forward to us the signed Declaration in the enclosed self-addressed Federal Express envelope.

We ask that the signed Declaration be sent to us no later than **December 16, 2003**. We appreciate your assistance in this matter.

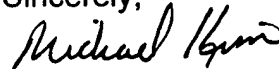
Mr. Ming-Kang Liu  
December 5, 2003  
Page 2

FINNEGAN  
HENDERSON  
FARABOW  
GARRETT &  
DUNNER LLP

Please do not hesitate to contact us if you have any questions. In addition, please kindly let us know your e-mail address or telephone number so that we can reach you regarding this Reissue Application if need be.

With best regards,

Sincerely,



S.H. Michael Kim

MXK/MTY/ré  
Enclosures

**deEx** USA Airbill  
Express

FedEx  
Tracking  
Number

8426 1687 4681

Please print and press hard.

Sender's FedEx  
Account Number

2176-6233-8

to

MING-KANG LIU Phone (650) 849-6600

FINNEGAN & HENDERSON ET AL

700 HANSEN WAY

PALO ALTO

State CA ZIP 94304-1016

Internal Billing Reference  
characters will appear on invoice.

08834.0038-00000

to MING-TAO YANG Phone (650) 849-6646

FINNEGAN HENDERSON

700 HANSEN WAY

at FedEx location, print FedEx address.

We cannot deliver to P.O. boxes or P.O. ZIP codes.

to

PALO ALTO

State CA ZIP 94304

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or call 1 800 Go FedEx® 800 463 3339

SAC12

Form  
101-00

0215

#### 4a Express Package Service

☒ FedEx Priority Overnight  
Next business morning

☐ FedEx Standard Overnight  
Next business afternoon

☐ FedEx First Overnight  
Earliest next business morning  
delivery to select locations

☒ FedEx 2Day  
Second business day  
FedEx Envelope rate not available. Minimum charge: One-pound rate

☐ FedEx Express Saver  
Third business day

#### 4b Express Freight Service

☐ FedEx 1Day Freight\*  
Next business day

☐ FedEx 2Day Freight  
Second business day

☐ FedEx 3Day Freight  
Third business day

\* Call for Confirmation.

#### 5 Packaging

☒ FedEx Envelope\*

☐ FedEx Pak\*  
Includes FedEx Small Pak, FedEx  
Large Pak, and FedEx Sturdy Pak

☐ Other

#### 6 Special Handling

☐ SATURDAY Delivery  
Available ONLY for  
FedEx Priority Overnight and  
FedEx 2Day to select ZIP codes

☐ HOLD Weekday  
at FedEx Location  
NOT Available for  
FedEx First Overnight

☐ HOLD Saturday  
at FedEx Location  
Available ONLY for  
FedEx Priority Overnight and  
FedEx 2Day to select locations

Does this shipment contain dangerous goods?

☐ No

☐ Yes

As per attached  
Shipper's Declaration

☐ Yes

Shipper's Declaration  
not required

☐ Dry Ice

Dry Ice, 6, UN 1845

☐ Cargo Aircraft Only

#### 7 Payment Bill to:

☒ Sender  
Invoice No. in Section  
1 will be billed.

Enter FedEx Acct. No. or Credit Card No. below:

☐ Recipient

☐ Third Party

☐ Credit Card

☐ Cash/Check

FedEx Acct. No.  
Credit Card No.

Exp.  
Date

Total Packages

Total Weight

Total Declared Value<sup>1</sup>

\$ .00

FedEx Use Only

<sup>1</sup>Our liability is limited to \$100 unless you declare a higher value. See back for details.

#### 8 Release Signature

Sign to authorize delivery without obtaining signature

By signing you authorize us to deliver this shipment without obtaining a signature  
and agree to indemnify and hold us harmless from any resulting claims.

447

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Welcome Pat

December 4, 2003 14:47:46

Track Shipments  
Detailed Results[? Quick Help](#)

Tracking number	839238288531	Reference number	08834-0038-00000
Signed for by	R. CURRY	Delivered to	Recipient
Ship date	Nov 24, 2003	Delivery location	FREMONT CA
Delivery date/Time	Nov 25, 2003 9:52 am	Service type	Priority Pak

Date/Time	Status	Location	Comments
Nov 25, 2003	9:52 am Delivered	FREMONT CA	No signature required - release waiver on file
	9:52 am Delivered	FREMONT CA	No signature required - release waiver on file
	7:40 am On FedEx vehicle for delivery	UNION CITY CA	
	6:20 am Arrived at FedEx Destination Location	UNION CITY CA	
	4:26 am Left FedEx Sort Facility	OAKLAND CA	
Nov 24, 2003	9:37 pm Arrived at Sort Facility	OAKLAND CA	
	7:26 pm Left FedEx Origin Location	PALO ALTO CA	
	7:18 pm Picked up by FedEx	PALO ALTO CA	
	6:09 pm Left FedEx Origin Location	MENLO PARK CA	

[Signature proof](#)[Track more shipments](#)

Email your detailed tracking results (optional)

Enter your email, submit up to three email addresses (separated by commas), add your message (optional), and click **Send email**.From To 

Add a message to this email.

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Welcome Pat

December 4, 2003 14:49:02

Track Shipments

[? Quick Help](#)

## Detailed Results

Tracking number	839238288439	Reference number	08834 0038 00000
Signed for by	C.KAO	Delivered to	Recipient
Ship date	Nov 24, 2003	Delivery location	PALO ALTO CA
Delivery date/Time	Nov 25, 2003 9:44 am	Service type	Priority Pak

Date/Time	Status	Location	Comments
Nov 25, 2003	9:44 am	Delivered	PALO ALTO CA
	8:36 am	On FedEx vehicle for delivery	MENLO PARK CA
	8:06 am	Arrived at FedEx Destination Location	MENLO PARK CA
	6:38 am	Left FedEx Sort Facility	OAKLAND CA
Nov 24, 2003	9:37 pm	Arrived at Sort Facility	OAKLAND CA
	7:26 pm	Left FedEx Origin Location	PALO ALTO CA
	6:09 pm	Left FedEx Origin Location	MENLO PARK CA
	5:55 pm	Picked up by FedEx	PALO ALTO CA

[Signature proof](#)[Track more shipments](#)

Email your detailed tracking results (optional)

Enter your email, submit up to three email addresses (separated by commas), add your message (optional), and click **Send email**.

From To 

Add a message to this email.

[Send email](#)

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Welcome Pat

December 4, 2003 14:47:30

Track Shipments  
Detailed Results[? Quick Help](#)

Tracking number	839238288509	Reference number	08834 0038-00000
Signed for by	M.ING YANG	Delivered to	Recipient
Ship date	Nov 24, 2003	Delivery location	SAN JOSE CA
Delivery date/Time	Nov 25, 2003 10:03 am	Service type	Priority Pak

Date/Time	Status	Location	Comments
Nov 25, 2003	10:03 am Delivered	SAN JOSE CA	No signature required - release waiver on file
	10:03 am Delivered	SAN JOSE CA	No signature required - release waiver on file
	8:41 am On FedEx vehicle for delivery	SANTA CLARA CA	
	7:37 am Arrived at FedEx Destination Location	SANTA CLARA CA	
Nov 24, 2003	6:39 am Left FedEx Sort Facility	OAKLAND CA	
	9:37 pm Arrived at Sort Facility	OAKLAND CA	
	7:26 pm Left FedEx Origin Location	PALO ALTO CA	
	7:19 pm Picked up by FedEx	PALO ALTO CA	
	6:09 pm Left FedEx Origin Location	MENLO PARK CA	

[Signature proof](#)[Track more shipments](#)

## Email your detailed tracking results (optional)

Enter your email, submit up to three email addresses (separated by commas), add your message (optional), and click **Send email**.

From To 

Add a message to this email.

[Send email](#)

Track Shipments  
Detailed Results[? Quick Help](#)

Tracking number	842616874670	Reference number	08834 0038-00000
Signed for by	C.CHEN	Delivered to	Recipient
Ship date	Dec 5, 2003	Delivery location	FREMONT CA
Delivery date/Time	Dec 9, 2003 3:02 pm	Service type	FedEx 2Day Pak

Date/Time	Status	Location	Comments
Dec 9, 2003	3:02 pm <b>Delivered</b>	FREMONT CA	
	7:57 am On FedEx vehicle for delivery	UNION CITY CA	
Dec 8, 2003	7:26 pm Package status	UNION CITY CA	Package in FedEx location
	11:18 am Package status	UNION CITY CA	Package not due for delivery
	7:57 am On FedEx vehicle for delivery	UNION CITY CA	
Dec 6, 2003	1:10 pm Package status	UNION CITY CA	Package not due for delivery
	8:34 am Left FedEx Sort Facility	OAKLAND CA	
	7:14 am On FedEx vehicle for delivery	UNION CITY CA	
	7:04 am Arrived at FedEx Destination Location	UNION CITY CA	
Dec 5, 2003	9:38 pm Arrived at Sort Facility	OAKLAND CA	
	6:11 pm Left FedEx Origin Location	MENLO PARK CA	
	5:49 pm Left FedEx Origin Location	PALO ALTO CA	
	5:26 pm Picked up by FedEx	PALO ALTO CA	

[Signature proof](#)[Track more shipments](#)

Email your detailed tracking results (optional)

Enter your email, submit up to three email addresses (separated by commas), add your message (optional), and click **Send email**.

From

To

Add a message to this email.

[Send email](#)

Track Shipments  
Detailed Results[? Quick Help](#)

<b>Tracking number</b>	842616874648	<b>Reference number</b>	08834 0038-00000
<b>Signed for by</b>	C.KAO	<b>Delivered to</b>	Recipient
<b>Ship date</b>	Dec 5, 2003	<b>Delivery location</b>	PALO ALTO CA
<b>Delivery date/Time</b>	Dec 9, 2003 11:48 am	<b>Service type</b>	FedEx 2Day Pak

Date/Time	Status	Location	Comments
<b>Dec 9, 2003</b>	11:48 am <b>Delivered</b>	PALO ALTO CA	
	8:27 am On FedEx vehicle for delivery	MENLO PARK CA	
<b>Dec 8, 2003</b>	5:33 pm Package status	MENLO PARK CA	Package in FedEx location
	12:13 pm Delivery attempt	PALO ALTO CA	Customer not available or Business closed
	8:22 am On FedEx vehicle for delivery	MENLO PARK CA	
<b>Dec 6, 2003</b>	6:48 am Package status	MENLO PARK CA	Package not due for delivery
	6:47 am On FedEx vehicle for delivery	MENLO PARK CA	
	6:46 am Arrived at FedEx Destination Location	MENLO PARK CA	
<b>Dec 5, 2003</b>	6:44 am Left FedEx Sort Facility	OAKLAND CA	
	9:38 pm Arrived at Sort Facility	OAKLAND CA	
	6:11 pm Left FedEx Origin Location	MENLO PARK CA	
	5:49 pm Left FedEx Origin Location	PALO ALTO CA	
	5:27 pm Picked up by FedEx	PALO ALTO CA	

[Signature proof](#)[Track more shipments](#)

Email your detailed tracking results (optional)

Enter your email, submit up to three email addresses (separated by commas), add your message (optional), and click **Send email**.From   
To 

Add a message to this email.

[Send email](#)

Track Shipments  
Detailed Results[? Quick Help](#)

Tracking number	842616874637	Reference number	08834 0038-0000
Signed for by	S.LIU	Delivered to	Recipient
Ship date	Dec 5, 2003	Delivery location	SAN JOSE CA
Delivery date/Time	Dec 8, 2003 4:43 pm	Service type	FedEx 2Day Pak

Date/Time	Status	Location	Comments
Dec 8, 2003	4:43 pm	Delivered	SAN JOSE CA
	8:20 am	On FedEx vehicle for delivery	SANTA CLARA CA
Dec 6, 2003	1:20 pm	Package status	SANTA CLARA CA
	1:20 pm	Arrived at FedEx Destination Location	SANTA CLARA CA
	10:15 am	Package status	SANTA CLARA CA
Dec 5, 2003	8:34 am	Left FedEx Sort Facility	OAKLAND CA
	9:38 pm	Arrived at Sort Facility	OAKLAND CA
	6:11 pm	Left FedEx Origin Location	MENLO PARK CA
	5:49 pm	Left FedEx Origin Location	PALO ALTO CA
	5:23 pm	Picked up by FedEx	PALO ALTO CA

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Email your detailed tracking results (optional)

Enter your email, submit up to three email addresses (separated by commas), add your message (optional), and click **Send email**.

From

To

Add a message to this email.

[Send email](#)

**From:** Ming-Tao Yang  
**To:** Kao, Yaw Sheh  
**Date:** 12/9/03 2:56PM  
**Subject:** Re: Contact information of inventors

Dear Yaw-Sheh,

Thank you so much for your update. We appreciate your response.

Best Regards,  
Ming

>>> "Yaw Sheh Kao" <y.s.kao@itexinc.com> 12/10/03 04:17AM >>> .  
Dear Mr. Yang,

I received your voice message today. Sorry for late, since we only work 3 days (Tue,Wed&Tues) a week.

Sorry to tell you that I have only the address for those former employee, I don't know what companies they are working now, as I know, most of them are working in Taiwan now.

Regards,

Yaw-Sheh

**From:** Michael Kim  
**To:** Yang, Ming-Tao  
**Date:** 12/8/03 9:51AM  
**Subject:** Fwd: patent application

>>> "Max Liu" <max\_liu@hotmail.com> 12/07/03 10:45PM >>>

Dear Mr. Kim,

I received your package regarding a previous ITEX patent, reference number 08834.0038-0000.

I briefly went over it and there are quite many pages of new claims to review. As I am busy and out of country, it is not possible for me to return to you according to your date. If possible, I would like to waive it.

You can reach me by this email account.

Best Regards,  
Max

**CC:** Yitai Hu



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www.finnegan.com

S.H. MICHAEL KIM  
(650) 849-6680  
Michael.Kim@finnegan.com

January 6, 2004

Mr. Chunta Chen  
5946 Remer Terrace  
Fremont, CA 94555

**VIA FEDERAL EXPRESS**

Re: U.S. Reissue Patent Application No. 10/668,095  
Based on U.S. Patent No. 6,292,515 Entitled  
"Dual Mode Bit and Gain Loading Circuit and Process"  
Our Reference: 08834.0038-00000

Dear Mr. Chen:

On November 24, 2003 and December 5, 2003, we sent you via Federal Express a copy of the above reissue application along with a Declaration, which requires your signature. To date, we have not received the signed Declaration or any communication from you. Therefore, we are writing to you with a final request for you to sign the Declaration and join in the above-reference reissue application.

Please forward the signed Declaration to us by January 20, 2004. Our non-receipt of the signed Declaration by January 20, 2004, will be understood by us to be your refusal to join this reissue application.

Please contact us if you have any questions.

With best regards,

Sincerely,

S.H. Michael Kim

MXK/MTY/ré

Express

102

200

**FedEx** Express **USA Airbill**

FedEx Tracking Number

8426 1687 4729

1 From Please print and print hard  
Date 01/06/04 Sender's FedEx Account Number 2176-6233-8

Sender's Name PING-LAO YANLO Phone (650) 849-6600

Company FINNIGAN & HENDERSON ET AL

Address 700 HANSEN WAY

City PALO ALTO State CA ZIP 94304-1016

2 Your Internal Billing Reference 08834.0038-0000

3 To Recipient's Name MR. CUNNINGHAM Phone ( )

Company RENE R PEREIRA

Address 5946 We cannot deliver to P.O. boxes or P.O. ZIP codes

City PRETORIA State SA ZIP 01535

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Form I.D. No. 0215

4a Express Package Service  
☒ FedEx Priority Overnight ☐ FedEx Standard Overnight ☐ FedEx First Overnight  
Next business morning Next business day Next business day  
Delivery commitment may be later in some areas. Delivery to select locations.

☐ FedEx 2Day ☒ FedEx Express Saver  
Second business day Third business day  
Delivery commitment may be later in some areas.

4b Express Freight Service  
☐ FedEx 1Day Freight\* ☐ FedEx 2Day Freight ☐ FedEx 3Day Freight  
Next business day Second business day Third business day  
\* Call for Confirmation.

5 Packaging  
☒ FedEx Envelope\* ☐ FedEx Pak\* ☐ Other  
Includes FedEx Small Pak, FedEx Large Pak, and FedEx Surety Pak.

6 Special Handling  
☐ SATURDAY Delivery ☐ HOLD Weekday at FedEx Location ☐ HOLD Secondary at FedEx Location  
Available ONLY for FedEx Priority Overnight and FedEx 2Day to select ZIP codes. NOT Available for FedEx First Overnight. FedEx 2Day to select locations.  
Does this shipment contain dangerous goods?  
One box must be checked.  
☐ No ☐ Yes ☐ Yes ☐ Yes ☐ Yes  
Shipped by Special Declaration Shipped by Declaration Shipped by Declaration Shipped by Declaration  
Dangerous Goods (including Dry Ice) cannot be shipped in FedEx packaging.

7 Payment Bill to  
☒ Sender ☐ Recipient ☐ Third Party ☐ Credit Card ☐ Cash/Check  
Enter FedEx Acct. No. or Credit Card No. below.

FedEx Acct. No. 1 Total Packages 1 Total Weight \$ Total Declared Value\* .00  
Credit Card No. 1 Exp. Date 1/01/04

8 Release Signature 1 Your liability is limited to \$100 unless you declare a higher value. See back for details.  
Signature 1 FedEx Use Only

By signing this Airbill you authorize us to deliver this shipment without obtaining a signature and agree to indemnify and hold us harmless from any resulting claims.

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447

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www.finnegan.com

S.H. MICHAEL KIM  
(650) 849-6680  
Michael.Kim@finnegan.com

January 6, 2004

Mr. Chiihsin Kao  
521 Driscoll Place  
Palo Alto, CA 94306

**VIA FEDERAL EXPRESS**

Re: U.S. Reissue Patent Application No. 10/668,095  
Based on U.S. Patent No. 6,292,515 Entitled  
"Dual Mode Bit and Gain Loading Circuit and Process"  
Our Reference: 08834.0038-00000

Dear Mr. Kao:

On November 24, 2003 and December 5, 2003, we sent you via Federal Express a copy of the above reissue application along with a Declaration, which requires your signature. To date, we have not received the signed Declaration or any communication from you. Therefore, we are writing to you with a final request for you to sign the Declaration and join in the above-reference reissue application.

Please forward the signed Declaration to us by January 20, 2004. Our non-receipt of the signed Declaration by January 20, 2004, will be understood by us to be your refusal to join this reissue application.

Please contact us if you have any questions.

With best regards,

Sincerely,

A handwritten signature in cursive script, appearing to read "Michael Kim".

S.H. Michael Kim

MXK/MTY/ré

Express

101

200

**FedEx** USA Airbill  
Express

FedEx  
Tracking  
Number

8426 1687 4718

SAC12

0215

Form  
LD No.

1 From *Please print and press hard!*

Date *01/06/04* Sender's FedEx  
Account Number

2176-6233-8

Sender's  
Name

*Hans. Inc*

Phone *(650) 849-6600*

Company *FINNEGAN & HENDERSON ET AL*

Address *700 HANSEN WAY*

Dept./Floor/Suite/Room

City *PALO ALTO* State *CA* ZIP *94304-1016*

2 Your Internal Billing Reference

*088340038-0000*

3 To

Recipient's  
Name

*MR. CA HANSEN INC*

Phone *( )*

Company

Address *521 Driscoll Place*

To "1000" at FedEx location, print FedEx address. We cannot deliver to P.O. boxes or P.O. ZIP codes.

Address

City *Palo Alto* State *CA* ZIP *94306*

Dept./Floor/Suite/Room

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or call 1.800.Go.FedEx® 800.463.3338.

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See back for peel and stick application instructions.

PULL AND RETAIN THIS COPY BEFORE AFFIXING TO THE PACKAGE.

4a Express Package Service  
☒ FedEx Priority Overnight ☐ FedEx Standard Overnight ☐ FedEx First Overnight  
Next business morning Next business afternoon Delivery to select locations  
Delivery commitment may be later in some areas.

☐ FedEx 2Day ☒ FedEx Express Saver  
Second business day Next business day  
FedEx Envelope (see not available. Minimum weight: One pound rate)

4b Express Freight Service  
☐ FedEx 1Day Freight\* ☐ FedEx 2Day Freight ☐ FedEx 3Day Freight  
Next business day Second business day Third business day  
Delivery commitment may be later in some areas.

5 Packaging  
☒ FedEx Envelope\* ☐ FedEx Pak\* ☐ Other  
Includes FedEx Small Pak, FedEx Large Pak, and FedEx Sturdy Pak

\*Declared value limit \$500

6 Special Handling  
☐ SATURDAY Delivery ☐ HOLD Weekday at FedEx Location ☐ HOLD Saturday at FedEx Location  
Available ONLY for FedEx Priority Overnight and FedEx First Overnight. Includes FedEx address in Section 3.  
Does this shipment contain dangerous goods?  
One box must be checked.  
☐ No ☐ Yes ☐ Yes Shipper's Declaration not required ☐ Yes Shipper's Declaration required ☐ DRY Ice ☐ UN 1845 ☐ Cargo Aircraft Only  
Dangerous Goods (including Dry Ice) cannot be shipped in FedEx packaging.

7 Payment *Bill to:* ☒ Sender ☐ Recipient ☐ Third Party ☐ Credit Card ☐ Cash/Check  
Enter FedEx Acct. No. or Credit Card No. below.  
FedEx Acct. No. Credit Card No.

Total Packages *1* Total Weight *1* Total Declared Value\* *\$ .00*  
Excl. Duties

8 Release Signature *See back for details.*  
Your liability is limited to \$100 unless you declare a higher value. See back for details.

By signing this Airbill you agree to follow this document without obtaining a signature and agree to indemnify and hold us harmless from any resulting claims.

0259192543

447

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Detailed Results** [Printable Version](#) [Quick Help](#)**Tracking number** 842616874729  
**Ship date** Jan 6, 2004**Reference number** 08834 0038 00000  
**Delivery location** FREMONT CA  
**Service type** Express Saver  
Envelope

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Date/Time	Status	Location	Comments
Jan 15, 2004	2:03 pm <b>Package status</b>	UNION CITY CA	Pkg returned to shipper
Jan 14, 2004	8:06 pm <b>Package status</b>	UNION CITY CA	Package in FedEx location
Jan 13, 2004	7:55 pm <b>Package status</b>	UNION CITY CA	Package in FedEx location
Jan 12, 2004	8:25 pm <b>Package status</b>	UNION CITY CA	Package in FedEx location
	2:50 pm <b>Delivery attempt</b>	UNION CITY CA	Customer not available or Business closed
	8:02 am <b>On FedEx vehicle for delivery</b>	UNION CITY CA	
Jan 10, 2004	6:30 pm <b>Package status</b>	UNION CITY CA	Package in FedEx location
Jan 9, 2004	7:52 pm <b>Package status</b>	UNION CITY CA	Package in FedEx location
	3:21 pm <b>Delivery attempt</b>	UNION CITY CA	Customer not available or Business closed
	8:01 am <b>On FedEx vehicle for delivery</b>	UNION CITY CA	
Jan 8, 2004	7:36 pm <b>Package status</b>	UNION CITY CA	Package in FedEx location
	3:08 pm <b>Delivery attempt</b>	UNION CITY CA	Customer not available or Business closed
	8:00 am <b>On FedEx vehicle for delivery</b>	UNION CITY CA	

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**Tracking number** 842616874718  
**Signed for by** M.KAO  
**Ship date** Jan 6, 2004  
**Delivery date/Time** Jan 7, 2004 11:55 am

**Reference number** 08834 0038-00000  
**Delivered to** Recipient  
**Delivery location** PALO ALTO CA  
**Service type** Express Saver  
Envelope

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- [FedEx Tracking shipments](#)
- [International](#)

Date/Time	Status	Location	Comments
Jan 7, 2004	11:55 am <b>Delivered</b>	PALO ALTO CA	
	8:21 am On FedEx vehicle for delivery	MENLO PARK CA	
	7:34 am Arrived at FedEx Destination Location	MENLO PARK CA	
Jan 6, 2004	6:28 am Left FedEx Sort Facility	OAKLAND CA	
	9:37 pm Arrived at Sort Facility	OAKLAND CA	
	6:14 pm Left FedEx Origin Location	PALO ALTO CA	
	6:12 pm Left FedEx Origin Location	MENLO PARK CA	
	5:19 pm Picked up by FedEx	PALO ALTO CA	

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[multi piece package](#)  
[and ocean freight.](#)

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www.finnegan.com

S.H. MICHAEL KIM  
(650) 849-6680  
Michael.Kim@finnegan.com

January 22, 2004

Mr. Chunta Chen  
5946 Remer Terrace  
Fremont, CA 94555

**VIA FEDERAL EXPRESS**

Re: U.S. Reissue Patent Application No. 10/668,095  
Based on U.S. Patent No. 6,292,515 Entitled  
"Dual Mode Bit and Gain Loading Circuit and Process"  
Our Reference: 08834.0038-00000

Dear Mr. Chen:

On November 24, 2003 and December 5, 2003, we sent you via Federal Express a copy of the above reissue application along with a Declaration, which requires your signature. To date, we have not received the signed Declaration or any communication from you. Therefore, we are writing to you with a final request for you to sign the Declaration and join in the above-reference reissue application.

Please forward the signed Declaration to us by January 29, 2004. Our non-receipt of the signed Declaration by January 29, 2004, will be understood by us to be your refusal to join this reissue application.

Please contact us if you have any questions.

With best regards,

Sincerely,

S.H. Michael Kim.

MXK/MTY/ré

FedEx  
Tracking  
Number

0426 1687 4865

Sender's Copy

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Sender's FedEx  
Account Number 2176-6233-8  
Phone (650) 849-6600  
MUNG-TAO SANG

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700 HANSEN WAY  
PALO ALTO CA 94304-1016

Internal Billing Reference 08834-0038-00000

HUNTA CHEN

5946 REMER TERRACE

FREMONT CA 94555

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or call 1.800.Go.FedEx® 800.463.3339.

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4a Express Package Service  
Packages up to 150 lbs.  
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☒ FedEx Priority Overnight Next business morning  
☐ FedEx Standard Overnight Next business afternoon  
☐ FedEx First Overnight Earliest next business morning  
Delivery to select locations only.  
☐ FedEx 2Day Second business day  
FedEx Envelope rate not available. Minimum charge: One-pound rate.

4b Express Freight Service  
Packages over 150 lbs.  
Delivery commitment may be later in some areas.  
☐ FedEx 1Day Freight Next business day  
☐ FedEx 2Day Freight Second business day  
☐ FedEx 3Day Freight Third business day  
Call for Confirmation.

5 Packaging  
☒ FedEx Envelope  
☐ FedEx Pak  
Includes FedEx Small Pak, FedEx Large Pak, and FedEx Specialty Pak.  
☐ Other

6 Special Handling  
SATURDAY Delivery Available ONLY for FedEx Priority Overnight and FedEx 2Day to select ZIP codes.  
☐ HOLD Weekday at FedEx Location NOT Available for FedEx Priority Overnight and FedEx 2Day to select locations.  
☐ HOLD Saturday at FedEx Location Available ONLY for FedEx Priority Overnight and FedEx 2Day to select locations.  
Does this shipment contain dangerous goods?  
One box must be checked.  
☐ No  
☐ Yes (As per attached Shipper's Declaration)  
Shipper's Declaration not required.  
☐ Dry Ice Dry Ice, 5, UN 1845  
Cargo Aircraft Only

7 Payment \$00.00  
Enter FedEx Acct. No. or Credit Card No. below.  
☒ Sender Acct. No. in Section 1 will be billed.  
☐ Recipient  
☐ Third Party  
☐ Credit Card  
☐ Cash/Check

Total Packages 1  
Total Weight 10  
Total Declared Value \$00.00

8 Release Signature  
Our liability is limited to \$500 unless you declare a higher value. See back for details.  
Sign in ink. Any release obtaining signature.  
By signing you authorize us to deliver this shipment without obtaining a signature and agree to indemnify and hold us harmless from any resulting claims.

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Tracking number 842616874865  
 Signed for by Y ANG  
 Ship date Jan 22, 2004  
 Delivery date/time Jan 23, 2004 9:04 am

Reference number 088-34 0038-00000  
 Delivered to Recipient  
 Delivery location FREMONT CA  
 Service type Priority Envelope

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Date/time	Status	Location	Comments
Jan 23, 2004	9:04 am Delivered	FREMONT CA	No signature required - release waiver on file
	9:04 am Delivered	FREMONT CA	No signature required - release waiver on file
	7:48 am On FedEx vehicle for delivery	UNION CITY CA	
	6:10 am Arrived at FedEx Destination Location	UNION CITY CA	
Jan 22, 2004	4:12 am Left FedEx Sort Facility	OAKLAND CA	
	9:39 pm Arrived at Sort Facility	OAKLAND CA	
	6:07 pm Left FedEx Origin Location	MENLO PARK CA	
	4:15 pm Picked up by FedEx	MENLO PARK CA	

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[multi piece packages](#) and [ocean freight](#).

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www.finnegan.com

S.H. MICHAEL KIM  
(650) 849-6680  
Michael.Kim@finnegan.com

February 12, 2004

Mr. Ming-Kang Liu  
6535 Canterbury Ct.  
San Jose, CA 95129

**VIA FEDERAL EXPRESS**

Re: U.S. Reissue Patent Application No. 10/668,095  
Based on U.S. Patent No. 6,292,515 Entitled  
"Dual Mode Bit and Gain Loading Circuit and Process"  
Our Reference: 08834.0038-00000

Dear Mr. Liu:

On November 24, 2003 and December 5, 2003, we sent you via Federal Express a copy of the above reissue application along with a Declaration, which requires your signature. Although we received an email from you on December 8, 2003, asking us to waive the second requested response date due to your busy schedule, to date, we have still not received the signed Declaration. Therefore, we are writing to you with a final request for you to sign the Declaration and join in the above-reference reissue application.

Please forward the signed Declaration to us by February 20, 2004. Our non-receipt of the signed Declaration by February 20, 2004, will be understood by us to be your refusal to join this reissue application.

Please contact us if you have any questions.

With best regards,

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Kim", written over a horizontal line.

S.H. Michael Kim

MXK/MTY/ré



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Detailed Results[Printable Version](#)[Quick Help](#)

**Tracking number** 842616874821  
**Signed for by** R.LIU  
**Ship date** Feb 12, 2004  
**Delivery date/time** Feb 13, 2004 6:04 pm

**Reference number** 08834 0038-00000  
**Delivered to** Recipient  
**Delivery location** SAN JOSE CA  
**Service type** Express Saver  
Envelope

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- [TCN \(Gov't\)](#)

## Track other FedEx

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- [FedEx Trade shipments](#)
- [International](#)

Date/time	Status	Location	Comments
Feb 13, 2004	6:04 pm <b>Delivered</b>	SAN JOSE CA	
	9:43 am On FedEx vehicle for delivery	SANTA CLARA CA	
	8:23 am Arrived at FedEx Destination Location	SANTA CLARA CA	
Feb 12, 2004	5:52 am Left FedEx Sort Facility	OAKLAND CA	
	9:35 pm Arrived at Sort Facility	OAKLAND CA	
	9:33 pm Left FedEx Origin Location	MENLO PARK CA	
	6:08 pm Left FedEx Origin Location	PALO ALTO CA	
	5:25 pm Picked up by FedEx	PALO ALTO CA	

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[Shipping Freight?](#)  
FedEx has [LTL](#), [air](#),  
[surface](#) and [air exp](#)  
[multi piece package](#)  
and [ocean freight](#).

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